

Message Text

UNCLASSIFIED

PAGE 01 PARIS 11619 141020Z

11

ACTION SCSE-00

INFO OCT-01 L-03 ISO-00 SCA-01 /005 W

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R 141017Z MAY 74

FM AMEMBASSY PARIS

TO SECSTATE WASHDC 9099

UNCLAS PARIS 11619

E.O. 11652: N/A

TAGS: CGEN

SUBJECT: DEPOSITION: LEFEBURE V. JONES

REF: STATE 98948

1. DIFFICULTY IN THIS CASE IS THAT SAMSEL HAS COURT COMMISSION AUTHORIZING PLAINTIFF TO TAKE DEPOSITION OF TWO NAMED WITNESSES. HOWEVER, ONE WITNESS, A DOCTOR, REFUSES TO COME TO EMBASSY FOR THIS PURPOSE, AND SAMSEL WISHES TO SUBSTITUTE ANOTHER DOCTOR AS WITNESS. ON THE ASSUMPTION EMBASSY HAD TO FOLLOW INSTRUCTIONS IN THE COMMISSION, WE ADVISED SAMSEL TO OBTAIN AMENDED COMMISSION OR SEPARATE COMMISSION NAMING THE NEW WITNESS.

2. ON BASIS INSTRUCTIONS REFTTEL, WE WILL PROCEED WITH DEPOSITION IN ACCORDANCE WITH SAMSEL'S REQUEST, AND ON HIS RESPONSIBILITY. HOWEVER, NOWHERE IN 7 FAM 842.2 OR RELATED PASSAGES DO WE FIND IT SPECIFIED THAT A CONSULAR OFFICER MAY TAKE A DEPOSITION IN THE ABSENCE OF A COURT COMMISSION OR NOTICE, OR THAT THE INSTRUCTIONS OF A COURT COMMISSION MAY BE CHANGED BY THE ATTORNEYS WITHOUT REFERENCE TO THE COURT. FOR FUTURE GUIDANCE, WE WOULD APPRECIATE CONFIRMATION OF THESE POINTS.
IRWIN

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NNN

Message Attributes

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Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Drafter: n/a
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